

Memo Cites Early Nixon, Dean Talks

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Citing secret grand jury testimony, a House Judiciary Committee confidential staff memorandum suggested that President Nixon began meeting regularly with then White House counsel John W. Dean III in February, 1973, to give Dean an excuse to claim executive privilege and refuse to testify before the grand jury and the Senate Watergate committee.

That testimony and other evidence that Mr. Nixon participated in the Watergate cover-up is analyzed in the memo, which also deals with Mr. Nixon's concern about keeping Jeb Stuart Magruder, a former White House aide and official of the Nixon re-election campaign, on the government payroll.

The President knew that Magruder had perjured himself in grand jury testimony but retained him on the payroll, the memo suggests, because Magruder had been making statements linking Mr. Nixon to the approval of plans for illegal activities, including the Watergate break-in.

The evidence the memo cites both on the matter of Dean's invoking executive privilege and Magruder's being employed by the administration also tends to support Dean's contention that the President knew about the Watergate cover-up before March 21.

Mr. Nixon has said he knew nothing of the cover-up until Dean brought it to his attention March 21.

The memo, dated May 24, the seventh to surface publicly among 14 drafted by a Judiciary Committee staff attorney,

also cites "substantive" discrepancies between an edited transcript released by the President and a tape secured by the committee. The transcript and tape are of a conversation on Feb. 28, 1973, between the President and Dean.

A copy of the May 24 memo was secured Friday by the Los Angeles Times, which earlier had secured copies of three others. The memos were written at the request of several Democrats on the committee to help them coordinate and analyze the voluminous evidence that has been presented in closed hearings.

William P. Dixon, who wrote the memos, included a cover letter with the May 24 document cautioning, "This memo is interpretative on my part and the facts presented herein may be interpreted differently by others."

The May 24 memo notes that in the year prior to Feb. 27, 1973, Dean met with the President for a total of no more than two hours "at occasions such as picture-taking sessions for National Secretaries Week, worship services, with Rose Mary Woods [Mr. Nixon's secretary], for four minutes on an airplane, etc."

Mr. Nixon did not begin meeting regularly with Dean, according to the memo, until after Dean expressed concern that he probably would be called as a witness before the Senate committee and that he had no basis for claiming executive privilege because he had not been conversing directly with the President about Watergate.

"After the President asked to meet with him on Feb. 27," the memo says, "they then met almost daily, sometimes two or three times a day. One possible reason for these frequent meetings may have been because the President wanted to be able to shield everything Dean knew from the Senate select committee and the grand jury."

That theory, the memo continues, is supported by Dean's sworn statement to the grand jury that he had a conversation about executive privilege prior to Feb. 27 with John D. Ehrlichman, then Mr. Nixon's chief domestic affairs adviser.

The theory of Dixon's memo is that even though Mr. Nixon eventually waived privileges, for a period of almost two months he was insisting on the privileges in a conspiracy to cover up the Watergate scandal.